UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,442	09/30/2003	Diane Simona Bettina Schmidt	11884/406301	2618

23838   7590   02/08/2008
KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

EXAMINER
SHAIKH, MOHAMMAD Z

ART UNIT	PAPER NUMBER
3696	

MAIL DATE	DELIVERY MODE
02/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/673,442	SCHMIDT, DIANE SIMONA BETTINA
	Examiner	Art Unit	
	MOHAMMAD Z. SHAIKH	3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to an AMENDMENT entered 12/06/07 for patent

application 10/673,442.

Status of Claims

2.   Claims 1-6, 8-20 are pending in this application.

3.   Claim 7 has been cancelled.

4.   Claims 1,9,12,15,18,20 have been amended without prejudice or disclaimer.

Claim Rejections -35 USC § 101

5.   Examiner is withdrawing the rejection for 11&14.

Claim Rejections- 35 USC § 102

6.   Examiner is withdrawing the 102(b) rejection for claim 1-10, 12, 15-20.

Claim Rejections -35 USC § 103

6.   Applicant's arguments with respect to claims 1-10, 12, 15-20 have been

considered but are moot in view of the new ground(s) of rejection.

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-10,12,15-20 are rejected under 35 U.S.C 103(a) as being unpatentable

over U.S Patent 6,038,550 to Rosenwald in view of US 2003/0120566 to Lipshutz,

herein referred to as Lipshutz and further in view of U.S 2001/0056391 to Schultz.

As per claim 1, Rosenwald discloses a method for managing intra-day interest

calculations for a bank account (column 2, line 1-3; column 10, lines 51-52), comprising:

(a) setting balance determination times for the account, the balance

determination times corresponding to a plurality of points in time within the span

of a day at which respective net account balances are to be used in an interest

calculation for the account (column 1, lines 66-67).

(b) determining the balances for the account for the balance determination times

(column 1, lines 65-66)

(c) determining applicable conditions for the interest calculation, the conditions

relating to an interest rate to be applied based on at least two of a time of day

(column 2, lines 5-8), a calendar day (column 6, lines 1-3), a variable reference

interest rate (column 7, lines 6-13), a public holiday in a particular country

(column 6, line 1), a determination whether the net account balance of the bank

account is a credit balance (column 8, lines 28-36). (d) providing the account

balances and applicable conditions to interest calculation logic; and (e) recording

a result of operations by the interest calculation logic (column 2, lines 8-13).

However, Rosenwald does not disclose an option expiration day, a determination

whether the net account balance of the bank account is a debit balance, and a

determination whether the bank account has been overdrafted. Schultz

discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 2, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 3-4, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of an hour and a second (column 2, lines 1-8).

Regarding claims 5&6, Rosenwald discloses the method of claim 1, further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination (column 2, lines 19-25).

Regarding claim 8, Rosenwald discloses the method of claim 1, wherein based on the conditions; an interest rate used in performing the interest calculation may change from a first time interval to a second time interval (column 7, lines 7-10).

Regarding claim 9, Rosenwald teaches a method for managing intra-day interest calculations for a bank account (column 2, lines 1-3; column 10, lines 51-52; column 12, lines 34-36), comprising:

(a) Receiving a designation of a bank account to receive intra-day interest calculation (Column 5, lines 11-12).

(b) Receiving transaction information for the account, the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation (Column 6, lines 7-9)

(c) Receiving a specification of a plurality of points in time for determining corresponding account balances for use in calculating an interest on the bank account, wherein the points of time correspond to a plurality of times within a single day, (d) for each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36).

(d) For each of the points in time, determining a corresponding account balance,
the account balance at a given point in time at least partly depending on the value time
(column 8, lines 28-36).

(e) For each of the points in time, determining an applicable interest rate based
on an assigned condition, wherein the conditions relating to an interest rate to be
applied based on at least two of a time of day (column 2, lines 5-8), a calendar
day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-
13), a public holiday in a particular country (column 6, line 1), a determination
whether the net account balance of the bank account is a credit balance (column
8, lines 28-36). (f) providing the account balances and applicable conditions to
interest calculation logic; and (g) generating a record of interest amounts
calculated by the interest calculation logic (Fig 5). However, Rosenwald does not
disclose an option expiration day, a determination whether the net account
balance of the bank account is a debit balance, and a determination whether the
bank account has been over drafted. Schultz discloses an option expiration day
(paragraph 0049). Therefore it would have been obvious to one of ordinary skill
in the art at the time of the invention to modify Rosenwald's invention to include
an option expiration day. One of ordinary skill in the art would have been
motivated to include an option expiration day in order to ensure that all interest
income is included in the calculation. Lipschutz discloses a determination
whether the net account balance of the bank account is a debit balance, and a
determination whether the bank account has been over drafted (paragraph

0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

(f) providing the account balances and the applicable interest rates to interest calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5).

Regarding claim 10, Rosenwald discloses the method of claim 9. Rosenwald further discloses wherein the value time is specified with accuracy to the second (column 10, lines 51-52).

Regarding claim 12, Rosenwald discloses a system comprising: a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions (column 10, lines 60-64), the instructions comprising:

Intra-day interest account management software configured to receive information relating to an intra-day interest calculation, the intra-day interest calculation relating to a calculation of interest on an account for points of time corresponding to a plurality of times within a single day, the information (column 10, lines 54-59) including:

Transaction information including a value time relating to when a transaction to the account is included in the account balance for interest calculation (column 8, lines 28-36).

Conditions applicable to the interest calculation, the conditions relating to interest rates to be applied based on at least two of a time of day (Fig 5), a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over

drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

As per claim 15, Rosenwald discloses a system comprising; a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions, the instructions when executed implementing a process for managing intra-day interest calculation for a bank account (column 10, lines 60-64; column 2, line 1-3; column 10, lines 51-52), the instructions comprising:

(a) setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account

 (b) determining the balances for the account for the balance determination times (column 8, lines 28-36).

 (c) determining applicable conditions for the interest calculation, the conditions relating to an interest rate to be applied based on at least two of a time of day;

a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36).

(d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2,

lines 8-13). However, Rosenwald does not disclose an option expiration day, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 16, Rosenwald discloses the system of claim 15, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 17, Rosenwald discloses the system of claim 15, the process further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination, wherein the value time is specified 15 with an accuracy to the second (column 2, lines 19-25).

Regarding claim 18, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day interest calculation for a bank account (column 10, lines 41-42; column 10, lines 44-46; column 2, line 1-3; column 10, lines 51-52), the method comprising:

(a) setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a single day at which respective net account balances are to be used in an interest calculation for the account

(b) determining the balances for the account for the balance determination times (column 8, lines 28-36).

(c) determining applicable conditions for the interest calculation, the conditions 5 relating to an interest rate to be applied based on at least two of a time of day; a calendar day (column 6, lines 1-3), a variable reference interest rate (column 7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination whether the net account balance of the bank account is a credit balance (column 8, lines 28-36).

(d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13).However, Rosenwald does not disclose an option expiration day, a

determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted. Schultz discloses an option expiration day (paragraph 0049). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an option expiration day. One of ordinary skill in the art would have been motivated to include an option expiration day in order to ensure that all interest income is included in the calculation. Lipschutz discloses a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been overdrafted (paragraph 0013). Therefore it would have been obvious to one of ordinary skill in the art to modify Rosenwald's invention to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted. One of ordinary skill in the art would have been motivated to include a feature to determine whether the net account balance of the bank account is a debit balance and a determination whether the bank account has been over drafted in order to ensure that the bank is protected against users accessing funds that they do not have.

Regarding claim 19, Rosenwald discloses the machine-readable medium of claim 18, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 20, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day

interest calculation for a bank account (column 10, lines 41-46; column 10, lines 51-52),

the method comprising:

(a) Receiving a designation of a bank account to receive intra-day interest

calculation (Column 5, lines 11-12)

(b) Receiving transaction information for the account, the transaction information

including a value time specifying when a transaction is to be taken into account for

interest calculation (Column 6, lines 7-9)

(c) Receiving a specification of a plurality of points in time for determining

corresponding account balances for use in calculating an interest on the bank account,

15 wherein the points of time correspond to a plurality of times within a day;

(d) for each of the points in time, determining a corresponding account balance,

the account balance at a given point in time at least partly depending on the value time

(column 8, lines 28-36).

(e) For each of the points in time, determining an applicable interest rate based

on an assigned condition, wherein the assigned condition includes at least two of a time

of day, a calendar day (column 6, lines 1-3), a variable reference interest rate (column

7, lines 6-13), a public holiday in a particular country (column 6, line 1), a determination

whether the net account balance of the bank account is a credit balance (column 8,

lines 28-36). (d) providing the account balances and applicable conditions to interest

calculation logic; and (e) recording a result of operations by the interest calculation logic

(column 2, lines 8-13).However, Rosenwald does not disclose an option expiration day,

a determination whether the net account balance of the bank account is a debit balance,

and a determination whether the bank account has been over drafted. Schultz

discloses an option expiration day (paragraph 0049). Therefore it would have been

obvious to one of ordinary skill in the art at the time of the invention to modify

Rosenwald's invention to include an option expiration day. One of ordinary skill in the

art would have been motivated to include an option expiration day in order to ensure

that all interest income is included in the calculation. Lipschutz discloses a

determination whether the net account balance of the bank account is a debit balance,

and a determination whether the bank account has been over drafted (paragraph 0013).

Therefore it would have been obvious to one of ordinary skill in the art to modify

Rosenwald's invention to include a feature to determine whether the net account

balance of the bank account is a debit balance and a determination whether the bank

account has been over drafted. One of ordinary skill in the art would have been

motivated to include a feature to determine whether the net account balance of the bank

account is a debit balance and a determination whether the bank account has been

over drafted in order to ensure that the bank is protected against users accessing funds

that they do not have.

(f) providing the account balances and the applicable interest rates to interest 20

calculation logic; and (g) generating a record of interest amounts calculated by the

interest calculation logic (Fig 5).

9.   Claims 11,13-14 are rejected under 35 U.S.C 103(a) as being unpatentable over

U.S. Patent 6,038,550 to Rosenwald, in view of Lipschutz et al (US 2003/0120566),

herein referred to as Lipschutz.

As per claim 11, Rosenwald teaches the method of claim 9. However Rosenwald does not specifically disclose an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith. Lipschutz teaches an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith (Fig 4; paragraph 0072). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith. One of ordinary skill in the art would have been motivated to include an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith in order to ensure that the user can view the interest they are earning in a format that is easy to comprehend.

As per claim 13, Rosenwald teaches the system of claim 12 and an intra-day interest account (column 10, lines 43-36). However Rosenwald does not disclose the interest account management software configured to implement a user interface providing for entry of the information. Lipschutz does disclose the account management software is configured to implement a user interface providing for entry of the information (page 15: "At least one user interface.... at least one user; claim 1; claim 11). Therefore it would have been to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include the account management software configured to implement a user interface providing for entry of the information. One of

ordinary skill in the art would have been motivated to include account management

software configured to implement a user interface providing for entry of the information

in order to ensure that the user can view the interest they are earning in a format that is

easy to comprehend.

As per claim 14, Rosenwald teaches the system of claim 12 and the intra-day

interest account (column 10, lines 43-46).   However Rosenwald does not disclose the

intra-day interest account management software comprises an interest calendar, the

interest calendar classifying days according to differing interest day types, each type

having an interest rate associated therewith. Lipschutz does teach the intra-day interest

account management software comprises an interest calendar, the interest calendar

classifying days according to differing interest day types, each type having an interest

rate associated therewith (claim 1, claim 10; Fig 8; claim 11). Therefore it would have

been obvious to one of ordinary skill in the art at the time the invention was made to

modify Rosenwald's invention to include the intra-day interest account management

software comprises an interest calendar, the interest calendar classifying days

according to differing interest day types, each type having an interest rate associated

therewith. One of ordinary skill would have been motivated to include the intra-day

interest account management software comprises an interest calendar, the interest

calendar classifying days according to differing interest day types, each type having an

interest rate associated therewith in order to ensure that the user can view the interest

they are earning in a format that is easy to comprehend.

Response to Arguments

Applicant's arguments, with regards to amended claims: 1,9,12,15,18,20 have been amended without prejudice or disclaimer filed on 12/06/07 has been fully considered but are not persuasive.

On page 9 of the Applicant's response, applicant argues that with regard to claims 1,9,12,15,18,20, Rosenwald does not teach an intra-day interest calculation. Rosenwald discloses an interest factor memory for storing, fore each interest period (column 1, line 67; column 2, line 1; column 10, lines 51-52). An interest period can be any time period. It could comprise a day, minutes, or seconds. One of ordinary skill in the art would appreciate that modifying Rosenwald's invention to include a feature to calculate intra-day interest would be obvious to one of ordinary skill in the art.

On page 5 of the Applicant's response, applicant argues that with regard to independent claims 15 & 18, Rosenwald does not disclose based on at least two of a time of day, a calendar day, a variable reference interest rate, option expiration day, public holiday in a particular country, a determination whether the net account balance of the bank account is a credit balance, a determination whether the net account balance of the bank account is a debit balance, and a determination whether the bank account has been over drafted. However Rosenwald does indeed disclose all of the features as discussed in the rejections under 103 section. Rosenwald does not disclose a variable reference interest rate and an option expiration date. Lipschutz and Schultz teach these features as discussed in rejections under 103 section. As far as the machine readable medium

storing executable instructions, Rosenwald teaches these features (column 10, lines 41-42). It would be obvious to one of ordinary skill, that a computer uses executable intructions in order to run the processes, in this case, the intra-day interest calculation.

On page 11, of the Applicant's response, applicant argues that claims 11, 13 and 14, that the method or system that determines interest based on a plurality of points in time within the span of a single day is not disclosed in Rosenwald or Lipshutz. However Rosenwald does disclose a method of interest based on a plurality of points in time within the span of a single day (column 1, line 67; column 2, line 1; column 10, lines 51-2). An interest period can be any time period. It could comprise a day, minutes, or seconds. One of ordinary skill in the art would appreciate that modifying Rosenwald's invention to include a feature to calculate intra-day interest would be obvious to one of ordinary skill in the art. As far as the account management software, Lipschutz does teach this (claim 1; claim 11). Claim 1 recites ""an interest determination system… system comprising". Claim 11 recites "the system of claim 1 wherein one…. to that account" By combining claims 1 and 11, the account management software is taught by Lipschutz.

Therefore, in view of the above reasons, Examiner maintains the rejections.

CONCLUSION

Applicant's amendment necessitude the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period fro reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is

(571)270-3444. The examiner can normally be reached on Monday-Friday (7:30-5); alt

Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad Z Shaikh/   Mohammad Z Shaikh
Examiner, Art Unit 4172   Examiner
                                                                      Art Unit 4172

/THOMAS A DIXON/
Supervisory Patent Examiner, Art Unit 3694